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Preface

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PREFACE

The privileges and liberties that most of us enjoy . . . are not to be taken for granted and require not only an appreciation of them, but affirmative action to protect the principles of equality and justice under the law They require constant appreciation and vigilance. Though they regrettably have not come to all of our people, they are coming to near fruition by virtue of the courage and farsightedness of men and women of brilliance and belief.¹

—Judge Robert R. Merhige, Jr., 2000

The *University of Richmond Law Review* proudly dedicates Volume 40 to the memory of United States District Judge Robert R. Merhige, Jr., who passed away earlier this year. Judge Merhige, one of the nation's most respected trial judges and a dedicated alumnus to the University of Richmond School of Law, issued rulings that affected every aspect of our society. Judge Merhige possessed the courage to decide pivotal civil rights cases, the judicial temperament and intuition to manage complex commercial litigation, and the patience to process claims of pro se plaintiffs and prisoners. Overarching all of these decisions was Judge Merhige's desire "to protect the principles of equality and justice under the law." To commemorate Judge Merhige's lifetime of accomplishment and impact on the nation and the Commonwealth, the *Law Review* has invited those who knew him best—judges, colleagues, law clerks, and professors—to share their experiences, both professional and personal, with the Judge.

Further, it is with great pleasure that the *University of Richmond Law Review* presents its twentieth *Annual Survey of Vir-*

1. Robert R. Merhige, Jr., *Law, Lawyers Try to Protect Everyone*, RICH. TIMES-DISPATCH, Dec. 3, 2000, at F1.

ginia Law. The *Annual Survey* serves as a comprehensive and reliable source for the *Law Review*'s readership, focusing on recent legislative enactments, administrative decisions, and judicial opinions in the Commonwealth. Each article is written by a Virginia practitioner or professor who is considered an expert in that particular area of law.

The *2005 Annual Survey of Virginia Law* contains traditional survey articles on topics including civil procedure, criminal law and procedure, labor and employment law, and wills, trusts, and estates. This year's *Annual Survey* also discusses the impact of the federal Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 on Virginia practitioners and analyzes the General Assembly's revision of the Virginia Stock Corporation Act and adoption of the Uniform Trust Code. The *Law Review* hopes that this issue is of value to all readers in their area of practice or study.

It has been an honor to serve as the editor for the *2005 Annual Survey of Virginia Law*. Thank you for your continued patronage and readership.

R. Kennon Poteat, III
Annual Survey Editor